9194199354 IPTL 01:07:30 p.m. 10-23-2005 12/13

## Section II. Remarks

## **Amendment of Claim 45**

Claim 45 has been amended to correct an inadvertent typographical error in such claim, in the number of the claim from which it is dependent, so that claim 45 now depends from claim 16.

## **Election of Species**

In the September 22, 2005 Office Action, the Examiner imposed an election of species requirement against claims 1-51, and required that an election be made between:

- Species 1: the species of Figures 1, 3, 5A-5B;
- Species 2: the species of Figures 2, 4, 6A-6B; and
- Species 3: the species of Figure 7.

## Applicant hereby elects Species 1, with traverse.

The traversal is based on the fact that all of the species as claimed involve common features that justify continued consolidation of all claims for search and examination. These common features are:

- · a catheter with at least two lumens;
- a first balloon in fluid communication with a first lumen of the catheter; and
- a second balloon in fluid communication with a second lumen of the catheter.

On such basis, all claims 1-51 are sufficiently closely related to merit their unitary search and examination.

The claims readable on the elected Species 1 are 1-15, 29-39, 43-44 and 50.

It therefore is requested that the species election requirement be reconsidered on the basis of the foregoing remarks and that examination proceed on the basis of all claims 1-51.

Respectfully submitted,

13/13

Steven J. Hultquist Reg. No. 28,021

Attorney for Applicant

INTELLECTUAL PROPERTY/ TECHNOLOGY LAW Phone: (919) 419-9350 Fax: (919) 419-9354 Attorney File No.: 4179-123